

UNITED STATES DISTRICT COURT

for the
District of DelawareIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)an International Hong Kong Post mail piece, bearing
Label No. EA273757128HK and addressed to "Rachael
Bellerby, 14 Short Street, Harrington, DE 19952-1021"

Case No. 17-

225M

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the _____ District of _____ Delaware, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. 841(a)	Possession with Intent to Deliver Controlled Substances
21 U.S.C. 843(b)	Unlawful Use of Communication Facility for a Felony
21 U.S.C. 846	Conspiracy to distribute controlled substances

The application is based on these facts:
See attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

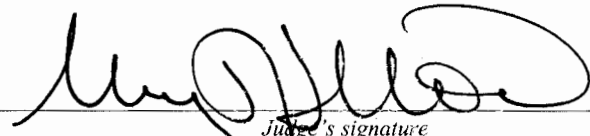
Michael Marro, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/20/2017

City and state: Wilmington, Delaware



Judge's signature

Hon. Sherry R. Fallon, U.S. Magistrate Judge

Printed name and title

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U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2017 NOV 20 PM 2:16

AFFIDAVIT

Michael A. Marro Jr., being duly sworn, deposes and says:

1. I am a Postal Inspector with the United States Postal Inspection Service and have served in that position for over 15 years. I have been trained in various aspects of law enforcement, including the investigation of narcotics offenses. In addition, I have received training in the investigation of the use of the United States mail and other overnight and rapid delivery services to facilitate the distribution of contraband, including controlled substances. During my employment, I have been involved in over 100 narcotics investigations, including those involving the execution of searches and controlled deliveries, and have observed controlled substances and the paraphernalia used to package, distribute, and ingest these substances. During my tenure, I have participated in over 100 searches involving controlled substances.

2. This Affidavit is submitted in support of the application of the United States to search an International Hong Kong Post mail piece, bearing Label No. EA273757128HK. The mail piece is a sealed "TYVEK" mailing bag and its approximate size is 15" x 12" x 4" inches and the weight is approximately 0 lbs, 6 oz. The addressee on the box is "Rachael Bellerby, 14 Short Street, Harrington, DE 19952-1021" (hereinafter, the "Recipient"). The return address is shown as "Hong Kong Data Express LTD, RM 14, 10/F, Profit Industrial Building, 1-15 Kwai Fung Crescent, Kwai Chung, New Territories, Quincy Pui, Hong Kong." The mail piece is presently located in the offices of the United States Postal Inspection Service, 147 Quigley Blvd, New Castle, Delaware 19720.

3. This Affidavit is submitted for the limited purpose of obtaining a warrant to search the Parcel. Therefore, I have not included each and every fact known to me concerning this investigation.

4. I am thoroughly familiar with the information contained in this Affidavit based upon the investigation that I have conducted with other law enforcement officers, my discussions with them and other witnesses, and my review of documents and items. Based upon the information set forth herein, there is probable cause to believe that the Parcel contains proceeds from the sale of controlled substances and/or controlled substances and related paraphernalia, in violation of Title 21, United States Code, Sections 841 and 846.

5. On or about November 17, 2017, DEA Special Agent Matthew Toth contacted inspectors with a request for assistance in obtaining a search warrant for a mail piece that was in USPS custody, and that was suspected of containing controlled substances coming from China. Specifically, officers arrested the Recipient in early November, 2017 for possession with intent to deliver fentanyl. During a post-Miranda interview, the recipient acknowledged purchasing fentanyl, a controlled substance, from Hong Kong. Officers also located fentanyl and shipping information for another in-bound package from Hong Kong. The tracking information revealed only the status of delivery with

no additional information.

6. As a U.S. Postal Inspector, I have become familiar with the mechanics of the United States Postal Service and other rapid delivery services and I have developed an understanding of the appeal that this service has for those who choose to use it for the illegal distribution of controlled substances. I have learned that drug traffickers frequently use Express Mail and Priority Mail with Delivery Confirmation to transport controlled substances. Overnight and rapid delivery services offer quick and dependable service for most national and international areas. For the drug smuggler, the time of expected delivery and parcel tracking provides the sender with a way to confirm shipment and/or delivery of a drug-laden parcel. Overnight and rapid delivery parcels are assigned numbers that make the parcel easy to track via telephone or internet, and thereby provides a way to monitor the delivery time and the weight of the parcel. A delay beyond the expected delivery time may serve to alert the sender and recipient that the authorities may have intercepted the parcel and discovered its illegal contents.

7. Postal Inspectors intercepted the subject mail piece on Friday, November 17, 2017 from the Harrington, DE Post Office and secured it at the USPIS Office located at 147 Quigley Blvd, New Castle, DE 19720.

8. I and other law enforcement officers have learned that the mail is commonly used to smuggle narcotics to Delaware from China, and that China is known to be a source for illegally manufactured Fentanyl throughout the United States. It has been my experience, as well as the experience of other Postal Inspectors and other law enforcement officers, that individuals using the mail and/or other delivery services to smuggle contraband often use insufficient or fictitious return address information to maintain their anonymity.

9. A search of the return address was conducted by Postal Inspectors and it was learned that while the company does exist in China, the return address on this particular mail piece does not exist.


10. On November 20, 2017, Postal Inspectors at the above referenced New Castle, Delaware Office conducted an exterior inspection of the mail piece with the assistance of a trained and certified dog handler, K-9 Officer Robert Unitis, who is employed by the United States Customs and Border Protection Service, and Unitis's narcotics detecting K-9 dog, "Zombie."

11. Zombie is handled by Customs Officer Robert Unitis, Badge Number #14391 with the US Customs and Border Protection. Customs Officer Unitis has been employed with the Customs Service since 1993 and he has been a K-9 handler since 1993. The Customs and Border Protection Service certified Officer Unitis and K-9 Zombie on an odor recognition test (ORT) to validate the ability to detect the odors of Fentanyl and analogs of Fentanyl on November 10, 2017. The ORT is a test administered by an Office of Field Operations certified canine instructor. The ORT is modeled after the Bureau of Alcohol Tobacco Firearms and Explosives'

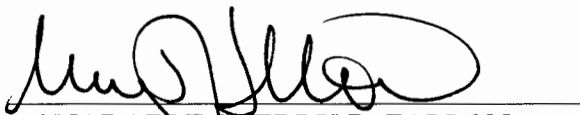
National Odor Recognition Test (NORT). The NORT was developed as a standardized method for evaluating a canine's capacity to recognize fundamental explosive odors and is recognized by Congress as the "best practice" for determining proficiency of detection canines. The team of Officer Unitis and canine Zombie successfully completed a Fentanyl ORT on November 10, 2017. On November 20, 2017 Officer Unitis advised Postal Inspectors that Zombie alerted positive to the presence of illegal narcotics inside the mail piece.

12. Based upon the above facts, I have probable cause to believe that the Parcel contains controlled substances, masking materials, and/or evidence of narcotics related activity, and that the Parcel is an instrumentality for the distribution of controlled substances. Therefore, it is respectfully requested that the Court issue a warrant to search the Parcel and seize its contents, including any controlled substances contained therein and any masking materials or other materials reflecting the distribution of controlled substances, all of which would constitute evidence and/or instrumentalities of violations Title 21, United States Code, Sections 841 and 846.

13. It is respectfully requested that this Court issue an Order pursuant to which the application for this search warrant and all papers submitted in support of the application be filed under seal. The evidence to be seized and the information upon which the application is based are relevant to an on-going investigation and premature disclosure of the Affidavit and related documents may jeopardize its effectiveness.


Michael Marro
United States Postal Inspector

Subscribed and sworn before me
on this 20th day of November, 2017


HONARABLE SHERRY R. FALLON
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT B

Items to be Searched for and Seized

The following items constitute evidence, fruits, and instrumentalities of violations of 21 U.S.C. §§ 841(a), 843(b), and 846.

1. Controlled substances, including but not limited to fentanyl, heroin, cocaine, methamphetamine, marijuana, hashish and Schedule II, III, and IV prescription medication.
2. Packaging, baggies, masking agents, and cutting agents.
3. Any and all records reflecting the sending or receiving of parcels through Express Mail, Priority Mail, Federal Express, UPS, or any other common parcel carriers.
4. United States and foreign currency, securities, precious metals, jewelry, stocks and bonds, in amounts exceeding \$500 in value.
5. Records reflecting or relating to the transporting, ordering, purchasing, and/or distribution of controlled substances, including but not limited to books, receipts, notes, ledgers, pay and owe sheets, and correspondence, as well as records noting price, quantity, dates and/or times when controlled substances were purchased, possessed, transferred, distributed, sold, or concealed.
6. Records reflecting or relating to co-conspirators, including personal notes, correspondence, cables, telegrams, personal address lists, listings of telephone numbers, and other items reflecting communications.

ATTACHMENT A

Parcel to be Searched



The parcel is an International Hong Kong Post mail piece, bearing Label No. EA273757128HK. The mail piece is a sealed "TYVEK" mailing bag and its approximate size is 15" x 12" x 4" inches and the weight is approximately 0 lbs, 6 oz. The addressee on the box is "Rachael Bellerby, 14 Short Street, Harrington, DE 19952-1021." The return address is shown as "Hong Kong Data Express LTD, RM 14, 10/F, Profit Industrial Building, 1-15 Kwai Fung Crescent, Kwai Chung, New Territories, Quincy Pui, Hong Kong." The mail piece is presently located in the offices of the United States Postal Inspection Service, 147 Quigley Blvd, New Castle, Delaware 19720.